

THE NEUBERGER FIRM

ATTORNEYS AND COUNSELLORS AT LAW

TWO EAST SEVENTH STREET
SUITE 302
WILMINGTON, DELAWARE 19801-3707

THOMAS S. NEUBERGER, ESQUIRE
STEPHEN J. NEUBERGER, ESQUIRE
RAEANN WARNER, ESQUIRE

WWW.NEUBERGERLAW.COM
EMAIL: INFO@NEUBERGERLAW.COM

PHONE: (302) 655-0582
FAX: (302) 655-9329

August 4, 2008

Via CM/ECF Filing

The Honorable Mary Pat Thyng
United States District Court
District of Delaware
844 King Street
Wilmington, DE 19801

RE: **Riddell v. Gordon, et al.**, C.A. No. 04-1201-***-MPT
Citation of Supplemental Authority

Dear Judge Thyng:

Defendants' motion to dismiss is currently pending, has been fully briefed and is under submission. I write to direct the Court's attention to three recent District of Delaware and Third Circuit decisions which bear directly upon the issues under review. In keeping with the Court's instructions at the February 11, 2008 teleconference, the cases are listed below with only a brief, non-argumentative parenthetical description.

- Justice v. Danberg, -- F.Supp.2d --, 2008 WL 2901593, *4-5 (D.Del. 2008) (First Amendment union association).
- Balas v. Taylor, -- F.Supp.2d --, 2008 WL 2918505, *6-7 (D.Del. 2008) (same)
- Reilly v. City of Atlantic City, -- F.3d --, 2008 WL 2579185, *8-13 (3d Cir. 2008) (scope of Garcetti v. Ceballos when other First Amendment interests are implicated and qualified immunity)

I am at the Court's disposal to address these matters further.

Respectfully Submitted,

/s/ Stephen J. Neuberger

Attorney for Plaintiff

cc: All Counsel (via CM/ECF)